

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 13-00435-02-CR-W-DGK
)	
CHRISTOPHER M. VALDIVIA,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on July 2, 2014. Defendant Valdivia appeared in person and with appointed counsel Ronna Holloman-Hughes. The United States of America appeared by Assistant United States Attorneys Patrick Edwards and Jeffrey McCarther.

I. BACKGROUND

On December 11, 2013, an indictment was returned charging Defendant with one count of conspiracy to distribute cocaine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B) and 846.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Edwards announced that he will be the trial counsel for the government. AUSA Jeffrey McCarther and the case agent, Erik Burchfield - Jackson County Drug Task Force, will be seated at counsel table.

Ms. Holloman-Hughes announced that she will be the trial counsel for Defendant Valdivia.

III. OUTSTANDING MOTIONS

There are no motions currently pending.

IV. TRIAL WITNESSES

Mr. Edwards announced that the government intends to call 10 witnesses without stipulations or 7 witnesses with stipulations during the trial.

Ms. Holloman-Hughes announced that Defendant Valdivia does not intend to any witnesses during the trial. Defendant will not testify.

V. TRIAL EXHIBITS

Mr. Edwards announced that the government will offer approximately 50 exhibits in evidence during the trial.

Ms. Holloman-Hughes announced that Defendant Valdivia will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Ms. Holloman-Hughes announced that Defendant Valdivia will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Ms. Holloman-Hughes stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed June 10, 2014, counsel for each party file and serve a list of exhibits he/she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by July 2, 2014;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, July 9, 2014;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, July 9, 2014. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on July 14, 2014.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
July 2, 2014
cc: Mr. Kevin Lyon

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by July 11, 2014. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.